

SENATE BILL 3891

By Marrero B

AN ACT to amend Tennessee Code Annotated, Title 40,
relative to various diversion programs in criminal
cases.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-15-105(a)(1)(B)(i), is amended by deleting subdivision (c) in its entirety and by substituting instead the following language:

(c) The offense for which the prosecution is being suspended is not a Class A or Class B felony or a Class C felony as defined in subdivision (a)(1)(B)(iii), a Class E felony as defined in subdivision (a)(1)(B)(iv), a sexual offense, driving under the influence of an intoxicant as prohibited by § 55-10-401, or vehicular assault as prohibited by § 39-13-106.

SECTION 2. Tennessee Code Annotated, Section 40-15-105(a)(1)(B), is amended by adding the following language as new subdivision (iv):

(iv) As used in subdivision (a)(1)(B)(i)(c), "Class E felony" means conduct which constitutes:

(a) Animal fighting not involving a cock, as described in § 39-14-203(a)(1), (2) or (3);

(b) Aggravated cruelty to animals, as described in § 39-14-212(a); or

(c) A criminal offense against animals, as described in § 39-14-214(a).

SECTION 3. Tennessee Code Annotated, Section 40-35-313(a)(1)(B)(i), is amended by deleting subdivision (b) in its entirety and by substituting instead the following language:

(b) Is not seeking deferral of further proceedings for a sexual offense, a violation of § 71-6-117 or § 71-6-119, a Class A or Class B felony; or a Class E felony as defined in subdivision (a)(1)(B)(iii); and

SECTION 4. Tennessee Code Annotated, Section 40-35-313(a)(1)(B), is amended by adding the following language as new subdivision (iii):

(iii) As used in subdivision (a)(1)(B)(i)(b), "Class E felony" means conduct which constitutes:

(a) Animal fighting not involving a cock, as described in § 39-14-203(a)(1), (2) or (3);

(b) Aggravated cruelty to animals, as described in § 39-14-212(a); or

(c) A criminal offense against animals, as described in § 39-14-214(a).

SECTION 5. This act shall take effect July 1, 2008, the public welfare requiring it.